

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 19

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SANJEEV N. TRIKA and JOHN I. GARNEY

Appeal No. 2000-2138
Application No. 08/935,314

ON BRIEF

Before HAIRSTON, KRASS, and GROSS, Administrative Patent Judges.
HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 15.

The disclosed invention relates to a method and apparatus for generating a stereoscopic sequence of frames. Each frame in the sequence has a left image and a right image, and one of the left image and the right image is an approximation of the other. If a pixel is not filled in the approximation image, then the method and apparatus assigns the data values of a corresponding pixel in an image from a preceding frame to the pixel that is not filled in the approximation image.

Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A method of generating a stereoscopic sequence of frames, each frame in the sequence having a left image and a right image, wherein for at least one frame in the sequence, one of the left image and the right image is an approximation of the other, the method comprising the steps of:

identifying any pixels not filled in the approximation image; and

assigning, to any pixel not filled in the approximation image, the data values of a corresponding pixel in an image from a preceding frame.

The references relied on by the examiner are:

deBoer et al. (deBoer)	4,591,898	May 27, 1986
Love (Love), "Nonholographic, Autostereoscopic, Nonplanar Display of Computer Generated Images," Graduate Thesis, Department of Computer Science, North Carolina State University, 1990, pages 99 through 108.		

Claims 1 through 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Love in view of deBoer.

Reference is made to the revised brief (paper number 15), the answer (paper number 16) and the reply brief (paper number 17) for the respective positions of the appellants and the examiner.

OPINION

According to the examiner (answer, page 4), "Love discloses at pages 107-108 a method of generating a stereoscopic sequence of image frames wherein for at least one frame, one of the left or right images is an approximation of the other ("interpolated" by shifting pixels as a function of z)," and that "gaps may result in the approximated image (page 107)." Appellants and the examiner all agree (revised brief, page 5; answer, page 4) that Love does not disclose filling gaps with "data values of a corresponding pixel in an image from a preceding frame." For such a teaching, the examiner directs our attention to the teachings found at column 2, lines 3 through 8 of deBoer

(answer, page 4). deBoer teaches that “[i]t is known to detect such a drop-out and to insert a corresponding part of a preceding line or a corresponding line of a preceding field at this location.”

The examiner’s contentions to the contrary notwithstanding, a field is merely part of a frame.

Thus, we agree with the appellants’ argument (reply brief, page 3) that:

The deBoer reference only discloses inserting, into the current frame, part of a preceding line or a line of a preceding field of the current frame. There is no suggestion in deBoer to insert some or all of a preceding frame into the current frame.

In summary, the obviousness rejection of claims 1 through 15 is reversed because the applied references neither teach nor would they have suggested to one of ordinary skill in the art the claimed invention.

DECISION

Appeal No. 2000-2138
Application No. 08/935,314

The decision of the examiner rejecting claims 1 through 15 under 35 U.S.C. § 103(a) is reversed.

REVERSED

KENNETH W. HAIRSTON
Administrative Patent Judge

ERROL A. KRASS
Administrative Patent Judge

ANITA PELLMAN GROSS
Administrative Patent Judge

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